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OFFICE OF PETITIONS

In re Application of :
Dae Young Lee, et al. :
Application No. 10/615,327 :
Filed: July 8, 2003 :
Attorney Docket No. 9242-000029 :

ON PETITION

This is a decision on the petition, filed February 24, 2005, to revive the above-identified application under the provisions of 37 CFR 1.137(b).

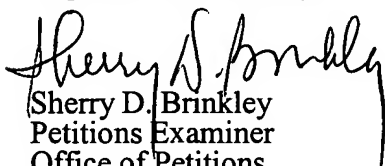
The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed August 26, 2004, which set a shortened statutory period for reply of one (1) month or thirty (30) days (whichever is later). No extension of time under the provisions of 37 CFR 1.136(a) was obtained. This decision precedes the mailing of a Notice of Abandonment.

The petition is found to comply with the requirements of 37 CFR 1.137(b). Accordingly, the petition is **GRANTED**.

It is noted that petitioner submitted an extension of time with the present petition. Extensions of time under 37 CFR 1.136 are available only if asked for prior to or with the response. In no case, however, may an applicant respond later than the maximum time period set by statute. Accordingly, if the question of abandonment arises when the provisions of 37 CFR 1.136 can no longer be used, then the application is abandoned when the unextended time for response has expired. Since, no extension of time fees are due on a petition for revival, the \$1080 extension fees submitted with the present petition are being credited to counsel's deposit account.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3204. All other inquiries regarding this application should be directed to the Technology Center.

The application file is being forwarded to Technology Center AU 1762 for consideration of the response filed January 24, 2005.


Sherry D. Brinkley
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy

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